

10/543191

International file no.

WRITTEN OFFICE ACTION
OF THE INTERNATIONAL
SEARCHING AUTHORITY (ANNEX)

PCT/EP2004/050027

V.

1. In the present Office Action, reference is made to the following document:

- D1: FR 2 821 094 A (ARJO WIGGENS SA) August 23, 2002
D2: US-B-6 413 3651 (DOELLE KLAUS ET AL) July 2, 2002

2. Novelty

2.1 The present application does not meet the requirements of Article 33(1) PCT, because the subject matter of claim 1 is not new as defined by Article 33(2) PCT. Document D1 discloses a method for producing a fibrous suspension used for producing a tissue or hygiene web (see page 2, lines 14-18), in which the fibers contained in the fibrous suspension are directly loaded with a filler in an online process in the tissue material preparation line through a chemical precipitation reaction (see claim 4).

2.2 The precipitation product disclosed in document D1 is a crystalline calcium carbonate, produced by a precipitation reaction between carbon dioxide and calcium hydroxide. The subject matter of independent claims 2-7, 9, 15, 18, 23, 24, 28, 32 and 34 is either disclosed in D1 or is trivial to one skilled in the art and is therefore not new.

3. Inventive Activity

3.1 The present application does not meet the requirements of Article 33(1) PCT, because the subject matter of claims 8, 11-14, 16, 17, 25, 26, 29-31 is not based on an inventive activity as defined by Article 33(3).

Document D2 is considered the closest pertinent prior art with respect to the subject matter of claim 8. It discloses a method for producing a fibrous suspension in which the fibers contained in the fibrous suspension are loaded with a filler in an online process through a chemical precipitation reaction, and in which a refiner is used as a reactor for the precipitation reaction.

The subject matter of claim 8 therefore differs from the known D2 in that the precipitation reaction takes place "directly in the tissue material preparation line."

With regard to this feature, document D1 describes the same advantages as the present application. One skilled in the art would therefore see incorporating this feature in document D2 as a customary measure.

3.2 Dependent claims 11-14, 16, 17, 25, 26, 29-31 do not contain any features which, in combination with the features of any claim to which they refer, meet the

requirements of the PCT pertaining to inventive activity. The reasons are as follows: the features of these dependent claims have already been used for the same purpose in D1 or D2. It would therefore be obvious to one skilled in the art to use these features with corresponding effect.